

ESTTA Tracking number: **ESTTA747301**

Filing date: **05/18/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	B Hotel Group, LLC
Granted to Date of previous extension	05/18/2016
Address	910 SE 17th Street, Ste 400 Fort Lauderdale, FL 33316 UNITED STATES
Attorney information	Mark D. Passler Akerman LLP P.O. Box 3188 West Palm Beach, FL 33402-3188 UNITED STATES ip@akerman.com Phone:561-653-5000

### Applicant Information

Application No	86744670	Publication date	01/19/2016
Opposition Filing Date	05/18/2016	Opposition Period Ends	05/18/2016
Applicant	Boyd Gaming Corporation Attn: Mr. Lou Nunziata Las Vegas, NV 89118 UNITED STATES		

### Goods/Services Affected by Opposition

Class 041. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Conducting and providing facilities for-casino gaming contests and tournaments;Providing casino facilities; Providing casino services featuring a casino players rewards program; Providing casino services featuring stored value membership cards for redeeming cash, discounts, and other benefits
Class 043. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Hotel, bar and restaurant services

### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
--------------------------------------	----------------------------


### Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	3917917	Application Date	11/06/2009
Registration Date	02/08/2011	Foreign Priority	NONE

		Date	
Word Mark	B HOTEL & RESORT		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 2010/09/23 First Use In Commerce: 2010/09/23 hotel, resort lodging and motel services; restaurant, catering, bar and cocktail lounge services; provision of general purpose facilities for meetings, conferences and exhibitions; provision of banquet and social function facilities for special occasions; hotel services for preferred customers; spa services, namely, providing temporary accommodations and meals to clients of a health or beauty spa; and reservation services for hotel accommodations for others		

U.S. Registration No.	4743805	Application Date	04/19/2010
Registration Date	05/26/2015	Foreign Priority Date	NONE
Word Mark	B ON THE BEACH		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 043. First use: First Use: 2015/03/04 First Use In Commerce: 2015/03/04 hotel, resort lodging and motel services; restaurant, catering, bar and cocktail lounge services; provision of general purpose facilities for meetings, conferences and exhibitions; provision of banquet and social function facilities for special occasions; hotel services for preferred customers; spa services, namely, providing temporary accommodations and meals to clients of a health or beauty spa; and reservation services for hotel accommodations for others		

U.S. Registration No.	3917918	Application Date	11/06/2009
Registration Date	02/08/2011	Foreign Priority Date	NONE
Word Mark	B OCEAN		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 043. First use: First Use: 2010/09/23 First Use In Commerce: 2010/09/23 hotel, resort lodging and motel services; restaurant, catering, bar and cocktail lounge services; provision of general purpose facilities for meetings, conferences and exhibitions; provision of banquet and social function facilities for special occasions; hotel services for preferred customers; spa services, namely, providing temporary accommodations and meals to clients of a health or beauty spa; and reservation services for hotel accommodations for others
Related Proceedings	91209039, 91209627
Attachments	77867244#TMSN.png( bytes ) 85017366#TMSN.png( bytes ) 77867248#TMSN.png( bytes ) 10233-97.pdf(156409 bytes )

### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Rachel B. Rudensky/
Name	Rachel B. Rudensky
Date	05/18/2016

In re: Application Serial No. 86/744,670  
Filed: September 1, 2015  
For Mark: B MAHALO & Design  
Published in the Official Gazette: January 19, 2016

Applicant.

•  
•  
  
•  
•  
  
•  
•  
  
•  
•  
  
•  
•  
  
•  
•

Opposition No. \_\_\_\_\_

1. On or about September 1, 2015, Applicant Boyd Gaming Corporation filed U.S. Trademark Application Serial No. 86/744,670 for B MAHALO & Design for “Conducting and providing facilities for casino gaming contests and tournaments; Providing casino facilities; Providing casino services featuring a casino players rewards program; Providing casino services featuring stored value membership

cards for redeeming cash, discounts, and other benefits” in International Class 41, and “hotel, bar and restaurant services” in International Class 43 under Section 1(b) of the Trademark Act. 15 U.S.C. § 1052(b).

2. U.S. Trademark Application Serial No. 86/744,670 is not based on use in commerce, and upon information and belief, Applicant has made no use of the applied-for mark as a service mark in the United States.
3. Since at least as early as 2010, and prior to the constructive date of first use of U.S. Trademark Application Serial No. 86/744,670, B Hotel has owned and maintained a luxury hotel, resort, restaurant, and spa business under the B HOTEL & RESORT house mark, and has also employed numerous additional trademarks and service marks used in close association with B Hotel’s B HOTEL & RESORT house mark, which all contain or are comprised of the dominant use of the initial “B” combined with other words to form catchy and unique imperative statements.
4. To formalize and perfect its rights in its marks, Opposer has registered the following with the United States Patent and Trademark Office:
  - a. U.S. Trademark Reg. No. 3,917,917 for B HOTEL & RESORT for “hotel, resort lodging and motel services; restaurant, catering, bar and cocktail lounge services; provision of general purpose facilities for meetings, conferences and exhibitions; provision of banquet and social function facilities for special occasions; hotel services for preferred customers; spa services, namely, providing temporary accommodations and meals to clients of a health or beauty spa; and reservation services for hotel accommodations for others,” in International Class 43; filed on November 6, 2009, with a date of first use of September 23, 2010;
  - b. U.S. Trademark Reg. No. 4,743,805 for B ON THE BEACH for “hotel, resort lodging and motel services; restaurant, catering, bar and cocktail lounge services; provision of general purpose facilities for meetings, conferences and exhibitions; provision of banquet and social function facilities for special occasions; hotel services for preferred customers; spa

services, namely, providing temporary accommodations and meals to clients of a health or beauty spa; and reservation services for hotel accommodations for others,” in International Class 43, with a filing date of April 19, 2010, and a date of first use of March 04, 2015;

- c. U.S. Trademark Reg. No. 3,917,918 for B OCEAN for “hotel, resort lodging and motel services; restaurant, catering, bar and cocktail lounge services; provision of general purpose facilities for meetings, conferences and exhibitions; provision of banquet and social function facilities for special occasions; hotel services for preferred customers; spa services, namely, providing temporary accommodations and meals to clients of a health or beauty spa; and reservation services for hotel accommodations for others,” in International Class 43, filed on November 06, 2009, with a date of first use of September 23, 2010;

(“Opposer’s Marks”) as well as many others (TSBR copies attached).

5. The services set forth in U.S. Trademark Application Serial No. 86/744,670 are identical, similar, or closely related to the services and goods offered by Opposer under Opposer’s Marks.

Furthermore, on information and belief, Applicant’s services will be offered to a similar class of consumers who purchase the services and goods in connection with which Opposer uses Opposer’s Marks, and will be offered through the same channels of trade.

6. The mark represented in U.S. Trademark Application Serial No. 86/744,670 is confusingly similar to Opposer’s Marks in terms of its appearance, sound, meaning, and overall commercial impression. As a result, it is likely to cause confusion, mistake, and deception as to an affiliation, connection, or association between Opposer and Applicant, or as to the sponsorship or approval of Applicant’s services and other commercial activities by Opposer. Potential customers are likely to believe that Applicant’s services originate from, or are sponsored or approved by, Opposer, when such is not the case. All of the foregoing will cause Opposer damage.

7. Applicant is not affiliated with or connected in any way to Opposer, and Opposer has not consented to Applicant's use of the mark represented in U.S. Trademark Application Serial No. 86/744,670 for any services or products.

WHEREFORE, B Hotel believes that it will be damaged by registration of Applicant's Mark and requests that the opposition be sustained and the Application be denied.

Authorization is given to charge \$300 for the filing fee for this Opposition to Deposit Account No. 50-0951. Authorization is also given to charge any deficiencies, or credit any overpayments, to Deposit Account No. 50-0951 throughout the pendency of this Opposition.

Respectfully submitted,

**AKERMAN LLP**

Date: May 18, 2016

By: /Rachel B. Rudensky/  
Mark D. Passler  
Rachel B. Rudensky  
777 South Flagler Drive  
Suite 1100, West Tower  
West Palm Beach, FL 33401  
Telephone: (561) 653-5000  
Telefax: (561) 653-5333  
Email: [ip@akerman.com](mailto:ip@akerman.com)

ATTORNEYS FOR OPPOSER

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and complete copy of the foregoing OPPOSER'S  
NOTICE OF OPPOSITION has been served by mailing said true and complete copy on May  
18, 2016, via First Class Mail, postage prepaid, to:

W. West Allen, Esq.  
Howard & Howard Attorneys PLLC  
3800 Howard Hughes Pkwy., Ste. 1000  
Las Vegas, NV 89169

/Angela Martin/  
Angela Martin



**Generated on:** This page was generated by TSDR on 2016-05-18 15:18:30 EDT

**Mark:** B HOTEL & RESORT

B HOTEL & RESORT

**US Serial Number:** 77867244

**Application Filing Date:** Nov. 06, 2009

**US Registration Number:** 3917917

**Registration Date:** Feb. 08, 2011

**Register:** Principal

**Mark Type:** Service Mark

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** Feb. 08, 2011

**Publication Date:** Apr. 13, 2010

**Notice of Allowance Date:** Jun. 08, 2010

## Mark Information

**Mark Literal Elements:** B HOTEL & RESORT

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

**Disclaimer:** "HOTEL & RESORT"

## Goods and Services

**Note:** The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** hotel, resort lodging and motel services; restaurant, catering, bar and cocktail lounge services; provision of general purpose facilities for meetings, conferences and exhibitions; provision of banquet and social function facilities for special occasions; hotel services for preferred customers; spa services, namely, providing temporary accommodations and meals to clients of a health or beauty spa; and reservation services for hotel accommodations for others

**International Class(es):** 043 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 23, 2010

**Use in Commerce:** Sep. 23, 2010

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** Yes

**Amended Use:** No

**Filed ITU:** Yes

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** B Hotel Group, LLC

**Owner Address:** 910 SE 17th Street, Ste 400

Fort Lauderdale, FLORIDA 33316  
UNITED STATES

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** FLORIDA  
**Where Organized:**

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** Mark D. Passler

**Docket Number:** 10233-5

**Attorney Primary** [jp@akerman.com](mailto:jp@akerman.com)

**Attorney Email** No

**Email Address:**

**Authorized:**

### Correspondent

**Correspondent** MARK D. PASSLER

**Name/Address:** Akerman LLP  
P.O. Box 3188  
West Palm Beach, FLORIDA 33402-3188  
UNITED STATES

**Phone:** (561) 653-5000

**Fax:** (561) 659-6313

**Correspondent e-mail:** [jp@akerman.com](mailto:jp@akerman.com)

**Correspondent e-mail** Yes  
**Authorized:**

### Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Feb. 08, 2016	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 08, 2016	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 08, 2016	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Aug. 28, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Feb. 08, 2011	REGISTERED-PRINCIPAL REGISTER	
Jan. 07, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 06, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	77976
Jan. 04, 2011	ASSIGNED TO LIE	77976
Dec. 09, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 09, 2010	STATEMENT OF USE PROCESSING COMPLETE	70565
Nov. 19, 2010	USE AMENDMENT FILED	70565
Dec. 09, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Nov. 19, 2010	TEAS STATEMENT OF USE RECEIVED	
Jun. 08, 2010	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 13, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 13, 2010	PUBLISHED FOR OPPOSITION	
Mar. 09, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	74215
Mar. 09, 2010	ASSIGNED TO LIE	74215
Feb. 17, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 16, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 16, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 16, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 12, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 12, 2010	NON-FINAL ACTION E-MAILED	6325
Feb. 12, 2010	NON-FINAL ACTION WRITTEN	83179
Feb. 11, 2010	ASSIGNED TO EXAMINER	83179
Nov. 14, 2009	NOTICE OF PSEUDO MARK MAILED	
Nov. 13, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 10, 2009	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

TM Staff Information - None

## File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Jan. 06, 2011

# Proceedings

## Summary

**Number of Proceedings:** 3

## Type of Proceeding: Opposition

**Proceeding Number:** [91209838](#)

**Filing Date:** Mar 18, 2013

**Status:** Terminated

**Status Date:** Jan 21, 2014

**Interlocutory Attorney:** ANDREW P BAXLEY

## Defendant

**Name:** Baccarat

**Correspondent Address:** STEPHEN G JANOSKI  
ROYLANCE ABRAMS BERDO GOODMAN LLP  
1300 19TH STREET NW, SUITE 600  
WASHINGTON DC , 20036 1649  
UNITED STATES

**Correspondent e-mail:** [sgjdocketing@roylance.com](mailto:sgjdocketing@roylance.com) , [sstraub@roylance.com](mailto:sstraub@roylance.com)

## Associated marks

Mark	Application Status	Serial Number	Registration Number
B BAR BY BACCARAT	Registered	<a href="#">79102652</a>	<a href="#">4492900</a>

## Plaintiff(s)

**Name:** B Hotel Group, LLC

**Correspondent Address:** MARK D PASSLER  
AKERMAN SENTERFITT  
222 LAKEVIEW AVENUE, 4TH FLOOR  
WEST PALM BEACH FL , 33401  
UNITED STATES

**Correspondent e-mail:** [ip@akerman.com](mailto:ip@akerman.com)

## Associated marks

Mark	Application Status	Serial Number	Registration Number
B HOTEL & RESORT	Registered	<a href="#">77867244</a>	<a href="#">3917917</a>
B DOWNTOWN	Registered	<a href="#">77867202</a>	<a href="#">4016431</a>
B IN THE CITY	Registered	<a href="#">77867245</a>	<a href="#">4016432</a>
B OCEAN	Registered	<a href="#">77867248</a>	<a href="#">3917918</a>
B OUR GUEST	Registered	<a href="#">77867204</a>	<a href="#">3909087</a>
B INDULGED	Registered	<a href="#">85121579</a>	<a href="#">4150866</a>
B ON THE BEACH	Registered	<a href="#">85017366</a>	<a href="#">4743805</a>
B MAGIC	Registered	<a href="#">85017320</a>	<a href="#">4743804</a>
B IN TOWN	Registered	<a href="#">85017298</a>	<a href="#">4743803</a>
B CAPITAL	Fourth Extension - Granted	<a href="#">85017277</a>	
B NYC	Fourth Extension - Granted	<a href="#">85017353</a>	
B MIAMI	Fourth Extension - Granted	<a href="#">85017334</a>	
B INN	Fourth Extension - Granted	<a href="#">85006030</a>	
B VEGAS	Fourth Extension - Granted	<a href="#">85006004</a>	
B SUITES	Fourth Extension - Granted	<a href="#">85005986</a>	
B SOUTH BEACH	Abandoned - No Statement Of Use Filed	<a href="#">85017881</a>	
B HOTEL	Registered	<a href="#">85055896</a>	<a href="#">4739252</a>
B WIRED	Registered	<a href="#">85068282</a>	<a href="#">4855854</a>
B MINE	Registered	<a href="#">85077310</a>	<a href="#">4855855</a>

B SCENE	Registered	<a href="#">85090254</a>	<a href="#">4143345</a>
B HOTELS & RESORTS	Abandoned - After Ex Parte Appeal	<a href="#">85094013</a>	
B ACTIVE	Registered	<a href="#">85120925</a>	<a href="#">4043147</a>
B IN TOUCH	Registered	<a href="#">85125640</a>	<a href="#">4242503</a>
B GREEN	Registered	<a href="#">85136200</a>	<a href="#">4466759</a>
B NOURISHED	Registered	<a href="#">85136196</a>	<a href="#">4238213</a>
B WED	Registered	<a href="#">85124169</a>	<a href="#">4641435</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 18, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 20, 2013	Apr 29, 2013
3	PENDING, INSTITUTED	Mar 20, 2013	
4	ANSWER	Apr 29, 2013	
5	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 26, 2013	
6	SUSPENDED	Jun 26, 2013	
7	STIPULATED WD OF OPP WITHOUT PREJUDICE	Dec 24, 2013	
8	BD DECISION: DISMISSED W/O PREJ	Jan 21, 2014	
9	TERMINATED	Jan 21, 2014	

#### Type of Proceeding: Opposition

**Proceeding Number:** [91197389](#)

**Filing Date:** Nov 10, 2010

**Status:** Terminated

**Status Date:** Jan 22, 2014

**Interlocutory Attorney:** ANDREW P BAXLEY

#### Defendant

**Name:** Baccarat

**Correspondent Address:** STEPHEN G JANOSKI  
ROYLANCE ABRAMS BERDO & GOODMAN LLP  
1300 19TH STREET NW, SUITE 600  
WASHINGTON DC , 20036  
UNITED STATES

**Correspondent e-mail:** [sgjdocketing@roylance.com](mailto:sgjdocketing@roylance.com) , [sstraub@roylance.com](mailto:sstraub@roylance.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
B	Registered	<a href="#">79077931</a>	<a href="#">4486667</a>

#### Plaintiff(s)

**Name:** B Hotel Group, LLC

**Correspondent Address:** MARK D PASSLER  
AKERMAN SENTERFITT  
222 LAKEVIEW AVENUE, 4TH FLOOR  
WEST PALM BEACH FL , 33401-6183  
UNITED STATES

**Correspondent e-mail:** [ip@akerman.com](mailto:ip@akerman.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
B HOTEL & RESORT	Registered	<a href="#">77867244</a>	<a href="#">3917917</a>
B DOWNTOWN	Registered	<a href="#">77867202</a>	<a href="#">4016431</a>
B IN THE CITY	Registered	<a href="#">77867245</a>	<a href="#">4016432</a>
B OCEAN	Registered	<a href="#">77867248</a>	<a href="#">3917918</a>
B OUR GUEST	Registered	<a href="#">77867204</a>	<a href="#">3909087</a>
B PAMPERED	Abandoned - Failure to Respond	<a href="#">85079138</a>	
B INDULGED	Registered	<a href="#">85121579</a>	<a href="#">4150866</a>
B ON THE BEACH	Registered	<a href="#">85017366</a>	<a href="#">4743805</a>

B MAGIC	Registered	<a href="#">85017320</a>	<a href="#">4743804</a>
B IN TOWN	Registered	<a href="#">85017298</a>	<a href="#">4743803</a>
B CAPITAL	Fourth Extension - Granted	<a href="#">85017277</a>	
B NYC	Fourth Extension - Granted	<a href="#">85017353</a>	
B MIAMI	Fourth Extension - Granted	<a href="#">85017334</a>	
B INN	Fourth Extension - Granted	<a href="#">85006030</a>	
B INSPIRED	Abandoned - Failure to Respond	<a href="#">85006018</a>	
B VEGAS	Fourth Extension - Granted	<a href="#">85006004</a>	
B SUITES	Fourth Extension - Granted	<a href="#">85005986</a>	
B SOUTH BEACH	Abandoned - No Statement Of Use Filed	<a href="#">85017881</a>	
B SOCIAL	Abandoned - Failure to Respond	<a href="#">85017876</a>	
B HAPPY	Abandoned - Failure to Respond	<a href="#">85022839</a>	
B HOTEL	Registered	<a href="#">85055896</a>	<a href="#">4739252</a>
B WIRED	Registered	<a href="#">85068282</a>	<a href="#">4855854</a>
B MINE	Registered	<a href="#">85077310</a>	<a href="#">4855855</a>
B SCENE	Registered	<a href="#">85090254</a>	<a href="#">4143345</a>
B HOTELS & RESORTS	Abandoned - After Ex Parte Appeal	<a href="#">85094013</a>	
B ACTIVE	Registered	<a href="#">85120925</a>	<a href="#">4043147</a>
B'STRO	Abandoned - Failure to Respond	<a href="#">85121519</a>	
B EXPRESS	Abandoned - Failure to Respond	<a href="#">85122490</a>	
B IN TOUCH	Registered	<a href="#">85125640</a>	<a href="#">4242503</a>
B GREEN	Registered	<a href="#">85136200</a>	<a href="#">4466759</a>
B NOURISHED	Registered	<a href="#">85136196</a>	<a href="#">4238213</a>
B WED	Registered	<a href="#">85124169</a>	<a href="#">4641435</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 10, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 15, 2010	Dec 25, 2010
3	PENDING, INSTITUTED	Nov 15, 2010	
4	D APPEARANCE / POWER OF ATTORNEY	Dec 27, 2010	
5	ANSWER	Dec 27, 2010	
6	D MOT FOR EXT W/ CONSENT	Feb 22, 2011	
7	EXTENSION OF TIME GRANTED	Feb 24, 2011	
8	D MOT FOR EXT W/ CONSENT	May 17, 2011	
9	EXTENSION OF TIME GRANTED	May 20, 2011	
10	D MOT FOR EXT W/ CONSENT	Jul 19, 2011	
11	EXTENSION OF TIME GRANTED	Aug 01, 2011	
12	D MOT FOR EXT W/ CONSENT	Aug 30, 2011	
13	EXTENSION OF TIME GRANTED	Sep 06, 2011	
14	D MOT FOR EXT W/ CONSENT	Nov 16, 2011	
15	EXTENSION OF TIME GRANTED	Nov 17, 2011	
16	D MOT TO CONSOLIDATE	Feb 14, 2012	
17	CONSOLIDATED - PARENT	Feb 28, 2012	
18	D CHANGE OF CORRESP ADDRESS	Feb 28, 2012	
19	D MOT FOR EXT W/ CONSENT	Apr 30, 2012	
20	EXTENSION OF TIME GRANTED	Apr 30, 2012	
21	D MOT FOR EXT W/ CONSENT	Jun 26, 2012	
22	EXTENSION OF TIME GRANTED	Jun 26, 2012	
23	D MOT FOR EXT W/ CONSENT	Jul 27, 2012	
24	EXTENSION OF TIME GRANTED	Aug 07, 2012	
25	P MOT FOR EXT W/ CONSENT	Sep 10, 2012	
26	EXTENSION OF TIME GRANTED	Sep 11, 2012	
27	P MOT FOR EXT W/ CONSENT	Nov 06, 2012	
28	EXTENSION OF TIME GRANTED	Dec 06, 2012	

29	D MOT FOR EXT W/ CONSENT	Jan 07, 2013	
30	EXTENSION OF TIME GRANTED	Feb 28, 2013	
31	MOT TO AMEND APPLICATION	Aug 26, 2013	
32	RESPONSE DUE 30 DAYS (DUE DATE)	Oct 04, 2013	Nov 03, 2013
33	PROCEEDINGS RESUMED	Nov 29, 2013	
34	TRIAL DATES REMAIN AS SET	Dec 03, 2013	
35	STIP TO SUSP PEND SETTL NEGOTIATIONS	Dec 03, 2013	
36	W/DRAW OF OPPOSITION	Dec 24, 2013	
37	BD DECISION: DISMISSED W/O PREJ	Jan 22, 2014	
38	TERMINATED	Jan 22, 2014	

#### Type of Proceeding: Opposition

**Proceeding Number:** [91196813](#)

**Filing Date:** Oct 06, 2010

**Status:** Terminated

**Status Date:** Jun 20, 2012

**Interlocutory Attorney:** ANN LINNEHAN VOGLER

#### Defendant

**Name:** Quoc Le

**Correspondent Address:** ANTHONY M VERNA III  
KRAVITZ & VERNA LLC  
PO BOX 3620293, PACC  
NEW YORK NY , 10129  
UNITED STATES

**Correspondent e-mail:** [averna@kravitzverna.com](mailto:averna@kravitzverna.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
BE PAMPERED WWW.BEPAMPERED.US	Abandoned - No Statement Of Use Filed	<a href="#">77919259</a>	

#### Plaintiff(s)

**Name:** B Hotel Group, LLC

**Correspondent Address:** MARK D PASSLER  
AKERMAN SENTERFITT  
222 LAKEVIEW AVENUE, 4TH FLOOR  
WEST PALM BEACH FL , 33401  
UNITED STATES

**Correspondent e-mail:** [mark.passler@akerman.com](mailto:mark.passler@akerman.com) , [kendra.waterman@akerman.com](mailto:kendra.waterman@akerman.com) , [rachel.rudensky@akerman.com](mailto:rachel.rudensky@akerman.com) , [ip@akerman.com](mailto:ip@akerman.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
B HOTEL & RESORT	Registered	<a href="#">77867244</a>	<a href="#">3917917</a>
B DOWNTOWN	Registered	<a href="#">77867202</a>	<a href="#">4016431</a>
B IN THE CITY	Registered	<a href="#">77867245</a>	<a href="#">4016432</a>
B OCEAN	Registered	<a href="#">77867248</a>	<a href="#">3917918</a>
B OUR GUEST	Registered	<a href="#">77867204</a>	<a href="#">3909087</a>
B PAMPERED	Abandoned - Failure to Respond	<a href="#">85079138</a>	
B INDULGED	Registered	<a href="#">85121579</a>	<a href="#">4150866</a>
B ON THE BEACH	Registered	<a href="#">85017366</a>	<a href="#">4743805</a>
B MAGIC	Registered	<a href="#">85017320</a>	<a href="#">4743804</a>
B IN TOWN	Registered	<a href="#">85017298</a>	<a href="#">4743803</a>
B HOTELS AND RESORTS	Abandoned - Express	<a href="#">85096919</a>	
B CAPITAL	Fourth Extension - Granted	<a href="#">85017277</a>	
B NYC	Fourth Extension - Granted	<a href="#">85017353</a>	
B MIAMI	Fourth Extension - Granted	<a href="#">85017334</a>	
B INN	Fourth Extension - Granted	<a href="#">85006030</a>	
B INSPIRED	Abandoned - Failure to Respond	<a href="#">85006018</a>	

B VEGAS	Fourth Extension - Granted	<a href="#">85006004</a>	
B SUITES	Fourth Extension - Granted	<a href="#">85005986</a>	
B SOUTH BEACH	Abandoned - No Statement Of Use Filed	<a href="#">85017881</a>	
B SOCIAL	Abandoned - Failure to Respond	<a href="#">85017876</a>	
B HAPPY	Abandoned - Failure to Respond	<a href="#">85022839</a>	
B HOTEL	Registered	<a href="#">85055896</a>	<a href="#">4739252</a>
B WIRED	Registered	<a href="#">85068282</a>	<a href="#">4855854</a>
B MINE	Registered	<a href="#">85077310</a>	<a href="#">4855855</a>
B SCENE	Registered	<a href="#">85090254</a>	<a href="#">4143345</a>
B HOTELS & RESORTS	Abandoned - After Ex Parte Appeal	<a href="#">85094013</a>	
B ACTIVE	Registered	<a href="#">85120925</a>	<a href="#">4043147</a>
B'STRO	Abandoned - Failure to Respond	<a href="#">85121519</a>	
B EXPRESS	Abandoned - Failure to Respond	<a href="#">85122490</a>	
B IN TOUCH	Registered	<a href="#">85125640</a>	<a href="#">4242503</a>
B GREEN	Registered	<a href="#">85136200</a>	<a href="#">4466759</a>
B NOURISHED	Registered	<a href="#">85136196</a>	<a href="#">4238213</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 06, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 06, 2010	Nov 15, 2010
3	PENDING, INSTITUTED	Oct 06, 2010	
4	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Nov 17, 2010	
5	D'S MOTION FOR AN EXTENSION OF TIME	Nov 17, 2010	
6	ANSWER	Dec 09, 2010	
7	TRIAL DATES RESET	Mar 01, 2011	
8	D'S MOTION TO DISMISS; TM RULE2.132(A)	Apr 10, 2012	
9	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Apr 23, 2012	
10	BD'S DECISION: DISMISSED W/ PREJUDICE	Jun 20, 2012	
11	TERMINATED	Jun 20, 2012	

**Generated on:** This page was generated by TSDR on 2016-05-18 15:19:49 EDT

**Mark:** B ON THE BEACH

B ON THE BEACH

**US Serial Number:** 85017366

**Application Filing Date:** Apr. 19, 2010

**US Registration Number:** 4743805

**Registration Date:** May 26, 2015

**Register:** Principal

**Mark Type:** Service Mark

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** May 26, 2015

**Publication Date:** Sep. 07, 2010

**Notice of Allowance Date:** Mar. 04, 2014

## Mark Information

**Mark Literal Elements:** B ON THE BEACH

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

## Goods and Services

**Note:** The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** hotel, resort lodging and motel services; restaurant, catering, bar and cocktail lounge services; provision of general purpose facilities for meetings, conferences and exhibitions; provision of banquet and social function facilities for special occasions; hotel services for preferred customers; spa services, namely, providing temporary accommodations and meals to clients of a health or beauty spa; and reservation services for hotel accommodations for others

**International Class(es):** 043 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Mar. 04, 2015

**Use in Commerce:** Mar. 04, 2015

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** Yes

**Amended Use:** No

**Filed ITU:** Yes

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** B Hotel Group, LLC

**Owner Address:** 910 SE 17th Street, Ste 400  
Fort Lauderdale, FLORIDA 33316



UNITED STATES

**Legal Entity Type:** LIMITED LIABILITY COMPANY

**State or Country** FLORIDA  
**Where Organized:**

## Attorney/Correspondence Information

**Attorney of Record - None**

**Correspondent**

**Correspondent** MARK D PASSLER  
**Name/Address:** AKERMAN SENTERFITT  
222 LAKEVIEW AVENUE 4TH FLOOR  
WEST PALM BEACH, FLORIDA 33401-6183  
UNITED STATES

**Domestic Representative - Not Found**

## Prosecution History

Date	Description	Proceeding Number
Feb. 08, 2016	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 08, 2016	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
May 26, 2015	REGISTERED-PRINCIPAL REGISTER	
Apr. 20, 2015	ASSIGNED TO EXAMINER	78352
Apr. 18, 2015	NOTICE OF ACCEPTANCE OF STATEMENT OF USE MAILED	
Apr. 17, 2015	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Apr. 11, 2015	STATEMENT OF USE PROCESSING COMPLETE	70565
Mar. 04, 2015	USE AMENDMENT FILED	70565
Apr. 07, 2015	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Mar. 04, 2015	TEAS STATEMENT OF USE RECEIVED	
Sep. 04, 2014	NOTICE OF APPROVAL OF EXTENSION REQUEST MAILED	
Sep. 02, 2014	EXTENSION 1 GRANTED	98765
Sep. 02, 2014	EXTENSION 1 FILED	98765
Sep. 02, 2014	TEAS EXTENSION RECEIVED	
Mar. 04, 2014	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Jan. 22, 2014	TTAB RELEASE CASE TO TRADEMARKS	198198
Jan. 22, 2014	OPPOSITION TERMINATED NO. 999999	198198
Jan. 22, 2014	OPPOSITION DISMISSED NO. 999999	198198
Jan. 13, 2011	OPPOSITION INSTITUTED NO. 999999	198198
Oct. 05, 2010	EXTENSION OF TIME TO OPPOSE RECEIVED	
Sep. 07, 2010	PUBLISHED FOR OPPOSITION	
Aug. 18, 2010	NOTICE OF PUBLICATION	
Aug. 02, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	66213
Aug. 02, 2010	ASSIGNED TO LIE	66213
Jul. 20, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 13, 2010	ASSIGNED TO EXAMINER	78432
Jul. 08, 2010	ASSIGNED TO EXAMINER	78432
Apr. 24, 2010	NOTICE OF PSEUDO MARK MAILED	
Apr. 23, 2010	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Apr. 22, 2010	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

**TM Staff Information - None**

**File Location**

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Apr. 17, 2015

## Proceedings

**Summary**

Number of 5  
Proceedings:

**Type of Proceeding: Opposition**

**Proceeding Number:** [91209838](#)

**Filing Date:** Mar 18, 2013

**Status:** Terminated

**Status Date:** Jan 21, 2014

**Interlocutory Attorney:** ANDREW P BAXLEY

**Defendant**

**Name:** Baccarat

**Correspondent Address:** STEPHEN G JANOSKI  
ROYLANCE ABRAMS BERDO GOODMAN LLP  
1300 19TH STREET NW, SUITE 600  
WASHINGTON DC , 20036 1649  
UNITED STATES

**Correspondent e-mail:** [sgjdocketing@roylance.com](mailto:sgjdocketing@roylance.com) , [sstraub@roylance.com](mailto:sstraub@roylance.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
B BAR BY BACCARAT	Registered	<a href="#">79102652</a>	<a href="#">4492900</a>

**Plaintiff(s)**

**Name:** B Hotel Group, LLC

**Correspondent Address:** MARK D PASSLER  
AKERMAN SENTERFITT  
222 LAKEVIEW AVENUE, 4TH FLOOR  
WEST PALM BEACH FL , 33401  
UNITED STATES

**Correspondent e-mail:** [ip@akerman.com](mailto:ip@akerman.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
B HOTEL & RESORT	Registered	<a href="#">77867244</a>	<a href="#">3917917</a>
B DOWNTOWN	Registered	<a href="#">77867202</a>	<a href="#">4016431</a>
B IN THE CITY	Registered	<a href="#">77867245</a>	<a href="#">4016432</a>
B OCEAN	Registered	<a href="#">77867248</a>	<a href="#">3917918</a>
B OUR GUEST	Registered	<a href="#">77867204</a>	<a href="#">3909087</a>
B INDULGED	Registered	<a href="#">85121579</a>	<a href="#">4150866</a>
B ON THE BEACH	Registered	<a href="#">85017366</a>	<a href="#">4743805</a>
B MAGIC	Registered	<a href="#">85017320</a>	<a href="#">4743804</a>
B IN TOWN	Registered	<a href="#">85017298</a>	<a href="#">4743803</a>
B CAPITAL	Fourth Extension - Granted	<a href="#">85017277</a>	
B NYC	Fourth Extension - Granted	<a href="#">85017353</a>	
B MIAMI	Fourth Extension - Granted	<a href="#">85017334</a>	
B INN	Fourth Extension - Granted	<a href="#">85006030</a>	
B VEGAS	Fourth Extension - Granted	<a href="#">85006004</a>	
B SUITES	Fourth Extension - Granted	<a href="#">85005986</a>	
B SOUTH BEACH	Abandoned - No Statement Of Use Filed	<a href="#">85017881</a>	
B HOTEL	Registered	<a href="#">85055896</a>	<a href="#">4739252</a>
B WIRED	Registered	<a href="#">85068282</a>	<a href="#">4855854</a>
B MINE	Registered	<a href="#">85077310</a>	<a href="#">4855855</a>
B SCENE	Registered	<a href="#">85090254</a>	<a href="#">4143345</a>
B HOTELS & RESORTS	Abandoned - After Ex Parte Appeal	<a href="#">85094013</a>	
B ACTIVE	Registered	<a href="#">85120925</a>	<a href="#">4043147</a>
B IN TOUCH	Registered	<a href="#">85125640</a>	<a href="#">4242503</a>
B GREEN	Registered	<a href="#">85136200</a>	<a href="#">4466759</a>

B NOURISHED	Registered	<a href="#">85136196</a>	<a href="#">4238213</a>
B WED	Registered	<a href="#">85124169</a>	<a href="#">4641435</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 18, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 20, 2013	Apr 29, 2013
3	PENDING, INSTITUTED	Mar 20, 2013	
4	ANSWER	Apr 29, 2013	
5	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 26, 2013	
6	SUSPENDED	Jun 26, 2013	
7	STIPULATED WD OF OPP WITHOUT PREJUDICE	Dec 24, 2013	
8	BD DECISION: DISMISSED W/O PREJ	Jan 21, 2014	
9	TERMINATED	Jan 21, 2014	

#### Type of Proceeding: Opposition

**Proceeding Number:** [91198198](#)

**Filing Date:** Jan 05, 2011

**Status:** Terminated

**Status Date:** Jan 22, 2014

**Interlocutory Attorney:** ANDREW P BAXLEY

#### Defendant

**Name:** B Hotel Group, LLC

**Correspondent Address:** MARK D PASSLER  
AKERMAN SENTERFITT  
222 LAKEVIEW AVENUE 4TH FLOOR  
WEST PALM BEACH FL , 33401-6183  
UNITED STATES

**Correspondent e-mail:** [ip@akerman.com](mailto:ip@akerman.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
B ON THE BEACH	Registered	<a href="#">85017366</a>	<a href="#">4743805</a>

#### Plaintiff(s)

**Name:** Baccarat

**Correspondent Address:** STEPHEN A STRAUB  
ROYLANCE ABRAMS BERDO & GOODMAN LLP  
1300 19TH STREET NW, SUITE 600  
WASHINGTON DC , 20036  
UNITED STATES

**Correspondent e-mail:** [SGJdocketing@roylance.com](mailto:SGJdocketing@roylance.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
B	Registered	<a href="#">79077931</a>	<a href="#">4486667</a>
B	Renewed	<a href="#">76138318</a>	<a href="#">2898501</a>
B BAR BY BACCARAT	Abandoned - No Statement Of Use Filed	<a href="#">78857728</a>	
BACCARAT HOTEL	Registered	<a href="#">78682026</a>	<a href="#">4649402</a>
BACCARAT	Renewed	<a href="#">73259517</a>	<a href="#">1199343</a>
BACCARAT	Renewed	<a href="#">74191347</a>	<a href="#">1810807</a>
BACCARAT	Renewed	<a href="#">73536926</a>	<a href="#">1406761</a>
BACCARAT	Renewed	<a href="#">74168486</a>	<a href="#">1765572</a>
BACCARAT	Renewed	<a href="#">74801492</a>	<a href="#">1845321</a>
BACCARAT	Renewed	<a href="#">73182634</a>	<a href="#">1130893</a>
BACCARAT	Renewed	<a href="#">73086653</a>	<a href="#">1144212</a>
BACCARAT FRANCE	Renewed	<a href="#">71067650</a>	<a href="#">111089</a>
BACCARAT CRISTAL	Cancelled - Section 8	<a href="#">73279185</a>	<a href="#">1265222</a>

BACCARAT	Renewed	<a href="#">73086652</a>	<a href="#">1176006</a>
BACCARAT	Renewed	<a href="#">76234854</a>	<a href="#">2642008</a>
BACCARAT	Registered	<a href="#">79029621</a>	<a href="#">3639606</a>
BACCARAT	SECTION 71 ACCEPTED	<a href="#">79068264</a>	<a href="#">3778272</a>
BACCARAT	Registered	<a href="#">78795519</a>	<a href="#">4649403</a>
BACCARAT	Registered	<a href="#">78795857</a>	<a href="#">4649404</a>
BACCARATINI	Abandoned - Failure to Respond	<a href="#">78824639</a>	

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Jan 05, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Jan 13, 2011	Feb 22, 2011
3	PENDING, INSTITUTED	Jan 13, 2011	
4	STIPULATION FOR AN EXTENSION OF TIME	Feb 18, 2011	
5	EXTENSION OF TIME GRANTED	Mar 01, 2011	
6	STIPULATION FOR AN EXTENSION OF TIME	Mar 09, 2011	
7	EXTENSION OF TIME GRANTED	Mar 15, 2011	
8	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Mar 23, 2011	
9	STIPULATION FOR AN EXTENSION OF TIME	Apr 20, 2011	
10	EXTENSION OF TIME GRANTED	May 06, 2011	
11	STIPULATION FOR AN EXTENSION OF TIME	May 17, 2011	
12	EXTENSION OF TIME GRANTED	May 31, 2011	
13	STIPULATION FOR AN EXTENSION OF TIME	Jul 19, 2011	
14	EXTENSION OF TIME GRANTED	Aug 07, 2011	
15	STIPULATION FOR AN EXTENSION OF TIME	Aug 30, 2011	
16	EXTENSION OF TIME GRANTED	Sep 12, 2011	
17	ANSWER	Nov 16, 2011	
18	STIPULATION FOR AN EXTENSION OF TIME	Nov 16, 2011	
19	CONSOLIDATED CHILD OF 91197389	Feb 28, 2012	
20	BD DECISION: DISMISSED W/O PREJ	Jan 22, 2014	
21	TERMINATED	Jan 22, 2014	

#### Type of Proceeding: Opposition

**Proceeding Number:** [91197389](#)

**Filing Date:** Nov 10, 2010

**Status:** Terminated

**Status Date:** Jan 22, 2014

**Interlocutory Attorney:** ANDREW P BAXLEY

#### Defendant

**Name:** Baccarat

**Correspondent Address:** STEPHEN G JANOSKI  
ROYLANCE ABRAMS BERDO & GOODMAN LLP  
1300 19TH STREET NW, SUITE 600  
WASHINGTON DC , 20036  
UNITED STATES

**Correspondent e-mail:** [sgjdocketing@roylance.com](mailto:sgjdocketing@roylance.com) , [sstraub@roylance.com](mailto:sstraub@roylance.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
B	Registered	<a href="#">79077931</a>	<a href="#">4486667</a>

#### Plaintiff(s)

**Name:** B Hotel Group, LLC

**Correspondent Address:** MARK D PASSLER  
AKERMAN SENTERFITT  
222 LAKEVIEW AVENUE, 4TH FLOOR  
WEST PALM BEACH FL , 33401-6183  
UNITED STATES

**Correspondent e-mail:** [ip@akerman.com](mailto:ip@akerman.com)

mail: \_\_\_\_\_

Associated marks			
Mark	Application Status	Serial Number	Registration Number
B HOTEL & RESORT	Registered	<a href="#">77867244</a>	<a href="#">3917917</a>
B DOWNTOWN	Registered	<a href="#">77867202</a>	<a href="#">4016431</a>
B IN THE CITY	Registered	<a href="#">77867245</a>	<a href="#">4016432</a>
B OCEAN	Registered	<a href="#">77867248</a>	<a href="#">3917918</a>
B OUR GUEST	Registered	<a href="#">77867204</a>	<a href="#">3909087</a>
B PAMPERED	Abandoned - Failure to Respond	<a href="#">85079138</a>	
B INDULGED	Registered	<a href="#">85121579</a>	<a href="#">4150866</a>
B ON THE BEACH	Registered	<a href="#">85017366</a>	<a href="#">4743805</a>
B MAGIC	Registered	<a href="#">85017320</a>	<a href="#">4743804</a>
B IN TOWN	Registered	<a href="#">85017298</a>	<a href="#">4743803</a>
B CAPITAL	Fourth Extension - Granted	<a href="#">85017277</a>	
B NYC	Fourth Extension - Granted	<a href="#">85017353</a>	
B MIAMI	Fourth Extension - Granted	<a href="#">85017334</a>	
B INN	Fourth Extension - Granted	<a href="#">85006030</a>	
B INSPIRED	Abandoned - Failure to Respond	<a href="#">85006018</a>	
B VEGAS	Fourth Extension - Granted	<a href="#">85006004</a>	
B SUITES	Fourth Extension - Granted	<a href="#">85005986</a>	
B SOUTH BEACH	Abandoned - No Statement Of Use Filed	<a href="#">85017881</a>	
B SOCIAL	Abandoned - Failure to Respond	<a href="#">85017876</a>	
B HAPPY	Abandoned - Failure to Respond	<a href="#">85022839</a>	
B HOTEL	Registered	<a href="#">85055896</a>	<a href="#">4739252</a>
B WIRED	Registered	<a href="#">85068282</a>	<a href="#">4855854</a>
B MINE	Registered	<a href="#">85077310</a>	<a href="#">4855855</a>
B SCENE	Registered	<a href="#">85090254</a>	<a href="#">4143345</a>
B HOTELS & RESORTS	Abandoned - After Ex Parte Appeal	<a href="#">85094013</a>	
B ACTIVE	Registered	<a href="#">85120925</a>	<a href="#">4043147</a>
B'STRO	Abandoned - Failure to Respond	<a href="#">85121519</a>	
B EXPRESS	Abandoned - Failure to Respond	<a href="#">85122490</a>	
B IN TOUCH	Registered	<a href="#">85125640</a>	<a href="#">4242503</a>
B GREEN	Registered	<a href="#">85136200</a>	<a href="#">4466759</a>
B NOURISHED	Registered	<a href="#">85136196</a>	<a href="#">4238213</a>
B WED	Registered	<a href="#">85124169</a>	<a href="#">4641435</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 10, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 15, 2010	Dec 25, 2010
3	PENDING, INSTITUTED	Nov 15, 2010	
4	D APPEARANCE / POWER OF ATTORNEY	Dec 27, 2010	
5	ANSWER	Dec 27, 2010	
6	D MOT FOR EXT W/ CONSENT	Feb 22, 2011	
7	EXTENSION OF TIME GRANTED	Feb 24, 2011	
8	D MOT FOR EXT W/ CONSENT	May 17, 2011	
9	EXTENSION OF TIME GRANTED	May 20, 2011	
10	D MOT FOR EXT W/ CONSENT	Jul 19, 2011	
11	EXTENSION OF TIME GRANTED	Aug 01, 2011	
12	D MOT FOR EXT W/ CONSENT	Aug 30, 2011	
13	EXTENSION OF TIME GRANTED	Sep 06, 2011	
14	D MOT FOR EXT W/ CONSENT	Nov 16, 2011	
15	EXTENSION OF TIME GRANTED	Nov 17, 2011	
16	D MOT TO CONSOLIDATE	Feb 14, 2012	

17	CONSOLIDATED - PARENT	Feb 28, 2012	
18	D CHANGE OF CORRESP ADDRESS	Feb 28, 2012	
19	D MOT FOR EXT W/ CONSENT	Apr 30, 2012	
20	EXTENSION OF TIME GRANTED	Apr 30, 2012	
21	D MOT FOR EXT W/ CONSENT	Jun 26, 2012	
22	EXTENSION OF TIME GRANTED	Jun 26, 2012	
23	D MOT FOR EXT W/ CONSENT	Jul 27, 2012	
24	EXTENSION OF TIME GRANTED	Aug 07, 2012	
25	P MOT FOR EXT W/ CONSENT	Sep 10, 2012	
26	EXTENSION OF TIME GRANTED	Sep 11, 2012	
27	P MOT FOR EXT W/ CONSENT	Nov 06, 2012	
28	EXTENSION OF TIME GRANTED	Dec 06, 2012	
29	D MOT FOR EXT W/ CONSENT	Jan 07, 2013	
30	EXTENSION OF TIME GRANTED	Feb 28, 2013	
31	MOT TO AMEND APPLICATION	Aug 26, 2013	
32	RESPONSE DUE 30 DAYS (DUE DATE)	Oct 04, 2013	Nov 03, 2013
33	PROCEEDINGS RESUMED	Nov 29, 2013	
34	TRIAL DATES REMAIN AS SET	Dec 03, 2013	
35	STIP TO SUSP PEND SETTLE NEGOTIATIONS	Dec 03, 2013	
36	W/DRAW OF OPPOSITION	Dec 24, 2013	
37	BD DECISION: DISMISSED W/O PREJ	Jan 22, 2014	
38	TERMINATED	Jan 22, 2014	

**Type of Proceeding: Opposition**

**Proceeding Number:** [91196813](#)

**Filing Date:** Oct 06, 2010

**Status:** Terminated

**Status Date:** Jun 20, 2012

**Interlocutory Attorney:** ANN LINNEHAN VOGLER

**Defendant**

**Name:** Quoc Le

**Correspondent Address:** ANTHONY M VERNA III  
KRAVITZ & VERNA LLC  
PO BOX 3620293, PACC  
NEW YORK NY , 10129  
UNITED STATES

**Correspondent e-mail:** [averna@kravitzverna.com](mailto:averna@kravitzverna.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
BE PAMPERED WWW.BEPAMPERED.US	Abandoned - No Statement Of Use Filed	<a href="#">77919259</a>	

**Plaintiff(s)**

**Name:** B Hotel Group, LLC

**Correspondent Address:** MARK D PASSLER  
AKERMAN SENTERFITT  
222 LAKEVIEW AVENUE, 4TH FLOOR  
WEST PALM BEACH FL , 33401  
UNITED STATES

**Correspondent e-mail:** [mark.passler@akerman.com](mailto:mark.passler@akerman.com) , [kendra.waterman@akerman.com](mailto:kendra.waterman@akerman.com) , [rachel.rudensky@akerman.com](mailto:rachel.rudensky@akerman.com) , [ip@akerman.com](mailto:ip@akerman.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
B HOTEL & RESORT	Registered	<a href="#">77867244</a>	<a href="#">3917917</a>
B DOWNTOWN	Registered	<a href="#">77867202</a>	<a href="#">4016431</a>
B IN THE CITY	Registered	<a href="#">77867245</a>	<a href="#">4016432</a>
B OCEAN	Registered	<a href="#">77867248</a>	<a href="#">3917918</a>
B OUR GUEST	Registered	<a href="#">77867204</a>	<a href="#">3909087</a>

B PAMPERED	Abandoned - Failure to Respond	<a href="#">85079138</a>	
B INDULGED	Registered	<a href="#">85121579</a>	<a href="#">4150866</a>
B ON THE BEACH	Registered	<a href="#">85017366</a>	<a href="#">4743805</a>
B MAGIC	Registered	<a href="#">85017320</a>	<a href="#">4743804</a>
B IN TOWN	Registered	<a href="#">85017298</a>	<a href="#">4743803</a>
B HOTELS AND RESORTS	Abandoned - Express	<a href="#">85096919</a>	
B CAPITAL	Fourth Extension - Granted	<a href="#">85017277</a>	
B NYC	Fourth Extension - Granted	<a href="#">85017353</a>	
B MIAMI	Fourth Extension - Granted	<a href="#">85017334</a>	
B INN	Fourth Extension - Granted	<a href="#">85006030</a>	
B INSPIRED	Abandoned - Failure to Respond	<a href="#">85006018</a>	
B VEGAS	Fourth Extension - Granted	<a href="#">85006004</a>	
B SUITES	Fourth Extension - Granted	<a href="#">85005986</a>	
B SOUTH BEACH	Abandoned - No Statement Of Use Filed	<a href="#">85017881</a>	
B SOCIAL	Abandoned - Failure to Respond	<a href="#">85017876</a>	
B HAPPY	Abandoned - Failure to Respond	<a href="#">85022839</a>	
B HOTEL	Registered	<a href="#">85055896</a>	<a href="#">4739252</a>
B WIRED	Registered	<a href="#">85068282</a>	<a href="#">4855854</a>
B MINE	Registered	<a href="#">85077310</a>	<a href="#">4855855</a>
B SCENE	Registered	<a href="#">85090254</a>	<a href="#">4143345</a>
B HOTELS & RESORTS	Abandoned - After Ex Parte Appeal	<a href="#">85094013</a>	
B ACTIVE	Registered	<a href="#">85120925</a>	<a href="#">4043147</a>
B'STRO	Abandoned - Failure to Respond	<a href="#">85121519</a>	
B EXPRESS	Abandoned - Failure to Respond	<a href="#">85122490</a>	
B IN TOUCH	Registered	<a href="#">85125640</a>	<a href="#">4242503</a>
B GREEN	Registered	<a href="#">85136200</a>	<a href="#">4466759</a>
B NOURISHED	Registered	<a href="#">85136196</a>	<a href="#">4238213</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 06, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 06, 2010	Nov 15, 2010
3	PENDING, INSTITUTED	Oct 06, 2010	
4	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Nov 17, 2010	
5	D'S MOTION FOR AN EXTENSION OF TIME	Nov 17, 2010	
6	ANSWER	Dec 09, 2010	
7	TRIAL DATES RESET	Mar 01, 2011	
8	D'S MOTION TO DISMISS; TM RULE2.132(A)	Apr 10, 2012	
9	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Apr 23, 2012	
10	BD'S DECISION: DISMISSED W/ PREJUDICE	Jun 20, 2012	
11	TERMINATED	Jun 20, 2012	

#### Type of Proceeding: Extension of Time

**Proceeding Number:** [85017366](#)

**Filing Date:** Oct 05, 2010

**Status:** Terminated

**Status Date:** Jan 13, 2011

**Interlocutory Attorney:**

#### Defendant

**Name:** B Hotel Group, LLC

**Correspondent Address:** B HOTEL GROUP, LLC  
1825 MAIN ST STE 235  
WESTON FL , 33326-3683  
UNITED STATES

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
B ON THE BEACH	Registered	<a href="#">85017366</a>	<a href="#">4743805</a>

**Potential Opposer(s)**

**Name:** Baccarat

**Correspondent** Stephen G. Janoski

**Address:** Roylance, Abrams, Berdo & Goodman, L.L.P.  
1300 19th Street, N.W.Suite 600  
Washington DC , 20036  
UNITED STATES

**Correspondent e-mail:** [SGJdocketing@roylance.com](mailto:SGJdocketing@roylance.com)

**Associated marks**

Mark	Application Status	Serial Number	Registration Number
------	--------------------	---------------	---------------------

**Prosecution History**

Entry Number	History Text	Date	Due Date
1	INCOMING - EXT TIME TO OPPOSE FILED	Oct 05, 2010	
2	EXTENSION OF TIME GRANTED	Oct 05, 2010	



**Generated on:** This page was generated by TSDR on 2016-05-18 15:20:07 EDT

**Mark:** B OCEAN

B OCEAN

**US Serial Number:** 77867248

**Application Filing Date:** Nov. 06, 2009

**US Registration Number:** 3917918

**Registration Date:** Feb. 08, 2011

**Register:** Principal

**Mark Type:** Service Mark

**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.

**Status Date:** Jul. 16, 2012

**Publication Date:** Apr. 20, 2010

**Notice of Allowance Date:** Jun. 15, 2010

## Mark Information

**Mark Literal Elements:** B OCEAN

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

## Goods and Services

**Note:** The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** hotel, resort lodging and motel services; restaurant, catering, bar and cocktail lounge services; provision of general purpose facilities for meetings, conferences and exhibitions; provision of banquet and social function facilities for special occasions; hotel services for preferred customers; spa services, namely, providing temporary accommodations and meals to clients of a health or beauty spa; and reservation services for hotel accommodations for others

**International Class(es):** 043 - Primary Class

**U.S Class(es):** 100, 101

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Sep. 23, 2010

**Use in Commerce:** Sep. 23, 2010

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** Yes

**Amended Use:** No

**Filed ITU:** Yes

**Currently ITU:** No

**Amended ITU:** No

**Filed 44D:** No

**Currently 44D:** No

**Amended 44D:** No

**Filed 44E:** No

**Currently 44E:** No

**Amended 44E:** No

**Filed 66A:** No

**Currently 66A:** No

**Filed No Basis:** No

**Currently No Basis:** No

## Current Owner(s) Information

**Owner Name:** B Hotel Group, LLC

**Owner Address:** 910 SE 17th Street, Ste 400  
Fort Lauderdale, FLORIDA 33316

UNITED STATES

Legal Entity Type: LIMITED LIABILITY COMPANY

State or Country: FLORIDA  
Where Organized:

## Attorney/Correspondence Information

### Attorney of Record

Attorney Name: Mark D. Passler

Docket Number: 10233-2

Attorney Primary Email Address: [ip@akerman.com](mailto:ip@akerman.com)

Attorney Email Authorized: No

### Correspondent

Correspondent Name/Address: MARK D PASSLER  
Akerman LLP  
P.O. Box 3188  
West Palm Beach, FLORIDA 33402-3188  
UNITED STATES

Phone: (561) 653-5000

Fax: (561) 659-6313

Correspondent e-mail: [ip@akerman.com](mailto:ip@akerman.com)

Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

## Prosecution History

Date	Description	Proceeding Number
Feb. 08, 2016	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 08, 2016	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 08, 2016	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	
Aug. 28, 2014	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jul. 16, 2012	TTAB RELEASE CASE TO TRADEMARKS	53764
Jul. 16, 2012	CANCELLATION TERMINATED NO. 999999	53764
Jul. 16, 2012	CANCELLATION DISMISSED NO. 999999	53764
Apr. 01, 2011	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 17, 2011	CANCELLATION INSTITUTED NO. 999999	53764
Feb. 08, 2011	REGISTERED-PRINCIPAL REGISTER	
Jan. 07, 2011	NOTICE OF ACCEPTANCE OF STATEMENT OF USE E-MAILED	
Jan. 06, 2011	LAW OFFICE REGISTRATION REVIEW COMPLETED	77976
Jan. 04, 2011	ASSIGNED TO LIE	77976
Dec. 09, 2010	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Dec. 09, 2010	STATEMENT OF USE PROCESSING COMPLETE	70565
Nov. 19, 2010	USE AMENDMENT FILED	70565
Dec. 09, 2010	CASE ASSIGNED TO INTENT TO USE PARALEGAL	70565
Nov. 19, 2010	TEAS STATEMENT OF USE RECEIVED	
Jun. 15, 2010	NOA E-MAILED - SOU REQUIRED FROM APPLICANT	
Apr. 20, 2010	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Apr. 20, 2010	PUBLISHED FOR OPPOSITION	
Mar. 15, 2010	LAW OFFICE PUBLICATION REVIEW COMPLETED	74215
Mar. 15, 2010	ASSIGNED TO LIE	74215
Feb. 23, 2010	APPROVED FOR PUB - PRINCIPAL REGISTER	
Feb. 22, 2010	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Feb. 22, 2010	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Feb. 22, 2010	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Feb. 12, 2010	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Feb. 12, 2010	NON-FINAL ACTION E-MAILED	6325
Feb. 12, 2010	NON-FINAL ACTION WRITTEN	83179
Feb. 11, 2010	ASSIGNED TO EXAMINER	83179
Nov. 13, 2009	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Nov. 10, 2009	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

#### File Location

**Current Location:** PUBLICATION AND ISSUE SECTION

**Date in Location:** Jan. 06, 2011

## Proceedings

### Summary

**Number of Proceedings:** 4

### Type of Proceeding: Opposition

**Proceeding Number:** [91209838](#)

**Filing Date:** Mar 18, 2013

**Status:** Terminated

**Status Date:** Jan 21, 2014

**Interlocutory Attorney:** ANDREW P BAXLEY

### Defendant

**Name:** Baccarat

**Correspondent Address:** STEPHEN G JANOSKI  
ROYLANCE ABRAMS BERDO GOODMAN LLP  
1300 19TH STREET NW, SUITE 600  
WASHINGTON DC , 20036 1649  
UNITED STATES

**Correspondent e-mail:** [sgjdocketing@roylance.com](mailto:sgjdocketing@roylance.com) , [sstraub@roylance.com](mailto:sstraub@roylance.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
B BAR BY BACCARAT	Registered	<a href="#">79102652</a>	<a href="#">4492900</a>

### Plaintiff(s)

**Name:** B Hotel Group, LLC

**Correspondent Address:** MARK D PASSLER  
AKERMAN SENTERFITT  
222 LAKEVIEW AVENUE, 4TH FLOOR  
WEST PALM BEACH FL , 33401  
UNITED STATES

**Correspondent e-mail:** [ip@akerman.com](mailto:ip@akerman.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
B HOTEL & RESORT	Registered	<a href="#">77867244</a>	<a href="#">3917917</a>
B DOWNTOWN	Registered	<a href="#">77867202</a>	<a href="#">4016431</a>
B IN THE CITY	Registered	<a href="#">77867245</a>	<a href="#">4016432</a>
B OCEAN	Registered	<a href="#">77867248</a>	<a href="#">3917918</a>
B OUR GUEST	Registered	<a href="#">77867204</a>	<a href="#">3909087</a>
B INDULGED	Registered	<a href="#">85121579</a>	<a href="#">4150866</a>
B ON THE BEACH	Registered	<a href="#">85017366</a>	<a href="#">4743805</a>
B MAGIC	Registered	<a href="#">85017320</a>	<a href="#">4743804</a>
B IN TOWN	Registered	<a href="#">85017298</a>	<a href="#">4743803</a>
B CAPITAL	Fourth Extension - Granted	<a href="#">85017277</a>	
B NYC	Fourth Extension - Granted	<a href="#">85017353</a>	
B MIAMI	Fourth Extension - Granted	<a href="#">85017334</a>	
B INN	Fourth Extension - Granted	<a href="#">85006030</a>	
B VEGAS	Fourth Extension - Granted	<a href="#">85006004</a>	
B SUITES	Fourth Extension - Granted	<a href="#">85005986</a>	

B SOUTH BEACH	Abandoned - No Statement Of Use Filed	<a href="#">85017881</a>	
B HOTEL	Registered	<a href="#">85055896</a>	<a href="#">4739252</a>
B WIRED	Registered	<a href="#">85068282</a>	<a href="#">4855854</a>
B MINE	Registered	<a href="#">85077310</a>	<a href="#">4855855</a>
B SCENE	Registered	<a href="#">85090254</a>	<a href="#">4143345</a>
B HOTELS & RESORTS	Abandoned - After Ex Parte Appeal	<a href="#">85094013</a>	
B ACTIVE	Registered	<a href="#">85120925</a>	<a href="#">4043147</a>
B IN TOUCH	Registered	<a href="#">85125640</a>	<a href="#">4242503</a>
B GREEN	Registered	<a href="#">85136200</a>	<a href="#">4466759</a>
B NOURISHED	Registered	<a href="#">85136196</a>	<a href="#">4238213</a>
B WED	Registered	<a href="#">85124169</a>	<a href="#">4641435</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 18, 2013	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 20, 2013	Apr 29, 2013
3	PENDING, INSTITUTED	Mar 20, 2013	
4	ANSWER	Apr 29, 2013	
5	P MOT TO SUSP W/ CONSENT PEND SETTL NEGOTIATIONS	Jun 26, 2013	
6	SUSPENDED	Jun 26, 2013	
7	STIPULATED WD OF OPP WITHOUT PREJUDICE	Dec 24, 2013	
8	BD DECISION: DISMISSED W/O PREJ	Jan 21, 2014	
9	TERMINATED	Jan 21, 2014	

#### Type of Proceeding: Cancellation

**Proceeding Number:** [92053764](#) **Filing Date:** Mar 17, 2011

**Status:** Terminated **Status Date:** Jul 16, 2012

**Interlocutory Attorney:** GEORGE POLOGEORGIS

#### Defendant

**Name:** B Hotel Group, LLC

**Correspondent Address:** MARK D PASSLER  
AKERMAN SENTERFITT  
222 LAKEVIEW AVENUE  
WEST PALM BEACH FL , 33401  
UNITED STATES

**Correspondent e-mail:** [ip@akerman.com](mailto:ip@akerman.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
B OCEAN	Registered	<a href="#">77867248</a>	<a href="#">3917918</a>

#### Plaintiff(s)

**Name:** South Beach Resort Development LLC

**Correspondent Address:** HEIDE TANDY  
1111 LINCOLN ROAD, SUITE 400  
MIAMI BEACH FL , 33139  
UNITED STATES

**Correspondent e-mail:** [heidi@heidi8.com](mailto:heidi@heidi8.com); [heidi8@gmail.com](mailto:heidi8@gmail.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
Z OCEAN	Section 8 and 15 - Accepted and Acknowledged	<a href="#">77620497</a>	<a href="#">3764755</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Mar 17, 2011	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Mar 17, 2011	Apr 26, 2011

3	PENDING, INSTITUTED	Mar 17, 2011	
4	ANSWER	Apr 20, 2011	
5	P REQUEST FOR DISCOVERY CONFERENCE-PHONE	May 17, 2011	
6	CONSOLIDATED - CHILD OF 91199848	May 25, 2011	
7	BOARD ORDER - TRIAL DATES REMAIN AS RESET	Jun 29, 2011	
8	CHANGE OF CORRESPONDENCE ADDRESS	Aug 31, 2011	
9	RESPONSE DUE 30 DAYS (DUE DATE)	Jul 05, 2012	Aug 04, 2012
10	STIPULATION TO DISMISS W/PREJUDICE	Jul 06, 2012	
11	BOARD'S DECISION: DISMISSED W/ PREJUDICE	Jul 16, 2012	
12	TERMINATED	Jul 16, 2012	
13	COPY OF ENTRY # 9	Jul 05, 2012	

#### Type of Proceeding: Opposition

**Proceeding Number:** [91197389](#)

**Filing Date:** Nov 10, 2010

**Status:** Terminated

**Status Date:** Jan 22, 2014

**Interlocutory Attorney:** ANDREW P BAXLEY

#### Defendant

**Name:** Baccarat

**Correspondent Address:** STEPHEN G JANOSKI  
ROYLANCE ABRAMS BERDO & GOODMAN LLP  
1300 19TH STREET NW, SUITE 600  
WASHINGTON DC , 20036  
UNITED STATES

**Correspondent e-mail:** [sgjdocketing@roylance.com](mailto:sgjdocketing@roylance.com) , [sstraub@roylance.com](mailto:sstraub@roylance.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
B	Registered	<a href="#">79077931</a>	<a href="#">4486667</a>

#### Plaintiff(s)

**Name:** B Hotel Group, LLC

**Correspondent Address:** MARK D PASSLER  
AKERMAN SENTERFITT  
222 LAKEVEIW AVENUE, 4TH FLOOR  
WEST PALM BEACH FL , 33401-6183  
UNITED STATES

**Correspondent e-mail:** [jp@akerman.com](mailto:jp@akerman.com)

#### Associated marks

Mark	Application Status	Serial Number	Registration Number
B HOTEL & RESORT	Registered	<a href="#">77867244</a>	<a href="#">3917917</a>
B DOWNTOWN	Registered	<a href="#">77867202</a>	<a href="#">4016431</a>
B IN THE CITY	Registered	<a href="#">77867245</a>	<a href="#">4016432</a>
B OCEAN	Registered	<a href="#">77867248</a>	<a href="#">3917918</a>
B OUR GUEST	Registered	<a href="#">77867204</a>	<a href="#">3909087</a>
B PAMPERED	Abandoned - Failure to Respond	<a href="#">85079138</a>	
B INDULGED	Registered	<a href="#">85121579</a>	<a href="#">4150866</a>
B ON THE BEACH	Registered	<a href="#">85017366</a>	<a href="#">4743805</a>
B MAGIC	Registered	<a href="#">85017320</a>	<a href="#">4743804</a>
B IN TOWN	Registered	<a href="#">85017298</a>	<a href="#">4743803</a>
B CAPITAL	Fourth Extension - Granted	<a href="#">85017277</a>	
B NYC	Fourth Extension - Granted	<a href="#">85017353</a>	
B MIAMI	Fourth Extension - Granted	<a href="#">85017334</a>	
B INN	Fourth Extension - Granted	<a href="#">85006030</a>	
B INSPIRED	Abandoned - Failure to Respond	<a href="#">85006018</a>	

B VEGAS	Fourth Extension - Granted	<a href="#">85006004</a>	
B SUITES	Fourth Extension - Granted	<a href="#">85005986</a>	
B SOUTH BEACH	Abandoned - No Statement Of Use Filed	<a href="#">85017881</a>	
B SOCIAL	Abandoned - Failure to Respond	<a href="#">85017876</a>	
B HAPPY	Abandoned - Failure to Respond	<a href="#">85022839</a>	
B HOTEL	Registered	<a href="#">85055896</a>	<a href="#">4739252</a>
B WIRED	Registered	<a href="#">85068282</a>	<a href="#">4855854</a>
B MINE	Registered	<a href="#">85077310</a>	<a href="#">4855855</a>
B SCENE	Registered	<a href="#">85090254</a>	<a href="#">4143345</a>
B HOTELS & RESORTS	Abandoned - After Ex Parte Appeal	<a href="#">85094013</a>	
B ACTIVE	Registered	<a href="#">85120925</a>	<a href="#">4043147</a>
B'STRO	Abandoned - Failure to Respond	<a href="#">85121519</a>	
B EXPRESS	Abandoned - Failure to Respond	<a href="#">85122490</a>	
B IN TOUCH	Registered	<a href="#">85125640</a>	<a href="#">4242503</a>
B GREEN	Registered	<a href="#">85136200</a>	<a href="#">4466759</a>
B NOURISHED	Registered	<a href="#">85136196</a>	<a href="#">4238213</a>
B WED	Registered	<a href="#">85124169</a>	<a href="#">4641435</a>

Prosecution History			
Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Nov 10, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Nov 15, 2010	Dec 25, 2010
3	PENDING, INSTITUTED	Nov 15, 2010	
4	D APPEARANCE / POWER OF ATTORNEY	Dec 27, 2010	
5	ANSWER	Dec 27, 2010	
6	D MOT FOR EXT W/ CONSENT	Feb 22, 2011	
7	EXTENSION OF TIME GRANTED	Feb 24, 2011	
8	D MOT FOR EXT W/ CONSENT	May 17, 2011	
9	EXTENSION OF TIME GRANTED	May 20, 2011	
10	D MOT FOR EXT W/ CONSENT	Jul 19, 2011	
11	EXTENSION OF TIME GRANTED	Aug 01, 2011	
12	D MOT FOR EXT W/ CONSENT	Aug 30, 2011	
13	EXTENSION OF TIME GRANTED	Sep 06, 2011	
14	D MOT FOR EXT W/ CONSENT	Nov 16, 2011	
15	EXTENSION OF TIME GRANTED	Nov 17, 2011	
16	D MOT TO CONSOLIDATE	Feb 14, 2012	
17	CONSOLIDATED - PARENT	Feb 28, 2012	
18	D CHANGE OF CORRESP ADDRESS	Feb 28, 2012	
19	D MOT FOR EXT W/ CONSENT	Apr 30, 2012	
20	EXTENSION OF TIME GRANTED	Apr 30, 2012	
21	D MOT FOR EXT W/ CONSENT	Jun 26, 2012	
22	EXTENSION OF TIME GRANTED	Jun 26, 2012	
23	D MOT FOR EXT W/ CONSENT	Jul 27, 2012	
24	EXTENSION OF TIME GRANTED	Aug 07, 2012	
25	P MOT FOR EXT W/ CONSENT	Sep 10, 2012	
26	EXTENSION OF TIME GRANTED	Sep 11, 2012	
27	P MOT FOR EXT W/ CONSENT	Nov 06, 2012	
28	EXTENSION OF TIME GRANTED	Dec 06, 2012	
29	D MOT FOR EXT W/ CONSENT	Jan 07, 2013	
30	EXTENSION OF TIME GRANTED	Feb 28, 2013	
31	MOT TO AMEND APPLICATION	Aug 26, 2013	
32	RESPONSE DUE 30 DAYS (DUE DATE)	Oct 04, 2013	Nov 03, 2013
33	PROCEEDINGS RESUMED	Nov 29, 2013	
34	TRIAL DATES REMAIN AS SET	Dec 03, 2013	
35	STIP TO SUSP PEND SETTLE NEGOTIATIONS	Dec 03, 2013	

36	W/DRAW OF OPPOSITION	Dec 24, 2013
37	BD DECISION: DISMISSED W/O PREJ	Jan 22, 2014
38	TERMINATED	Jan 22, 2014

### Type of Proceeding: Opposition

**Proceeding Number:** [91196813](#) **Filing Date:** Oct 06, 2010

**Status:** Terminated **Status Date:** Jun 20, 2012

**Interlocutory Attorney:** ANN LINNEHAN VOGLER

### Defendant

**Name:** Quoc Le

**Correspondent Address:** ANTHONY M VERNA III  
KRAVITZ & VERNA LLC  
PO BOX 3620293, PACC  
NEW YORK NY , 10129  
UNITED STATES

**Correspondent e-mail:** [averna@kravitzverna.com](mailto:averna@kravitzverna.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
BE PAMPERED WWW.BEPAMPERED.US	Abandoned - No Statement Of Use Filed	<a href="#">77919259</a>	

### Plaintiff(s)

**Name:** B Hotel Group, LLC

**Correspondent Address:** MARK D PASSLER  
AKERMAN SENTERFITT  
222 LAKEVIEW AVENUE, 4TH FLOOR  
WEST PALM BEACH FL , 33401  
UNITED STATES

**Correspondent e-mail:** [mark.passler@akerman.com](mailto:mark.passler@akerman.com) , [kendra.waterman@akerman.com](mailto:kendra.waterman@akerman.com) , [rachel.rudensky@akerman.com](mailto:rachel.rudensky@akerman.com) , [ip@akerman.com](mailto:ip@akerman.com)

### Associated marks

Mark	Application Status	Serial Number	Registration Number
B HOTEL & RESORT	Registered	<a href="#">77867244</a>	<a href="#">3917917</a>
B DOWNTOWN	Registered	<a href="#">77867202</a>	<a href="#">4016431</a>
B IN THE CITY	Registered	<a href="#">77867245</a>	<a href="#">4016432</a>
B OCEAN	Registered	<a href="#">77867248</a>	<a href="#">3917918</a>
B OUR GUEST	Registered	<a href="#">77867204</a>	<a href="#">3909087</a>
B PAMPERED	Abandoned - Failure to Respond	<a href="#">85079138</a>	
B INDULGED	Registered	<a href="#">85121579</a>	<a href="#">4150866</a>
B ON THE BEACH	Registered	<a href="#">85017366</a>	<a href="#">4743805</a>
B MAGIC	Registered	<a href="#">85017320</a>	<a href="#">4743804</a>
B IN TOWN	Registered	<a href="#">85017298</a>	<a href="#">4743803</a>
B HOTELS AND RESORTS	Abandoned - Express	<a href="#">85096919</a>	
B CAPITAL	Fourth Extension - Granted	<a href="#">85017277</a>	
B NYC	Fourth Extension - Granted	<a href="#">85017353</a>	
B MIAMI	Fourth Extension - Granted	<a href="#">85017334</a>	
B INN	Fourth Extension - Granted	<a href="#">85006030</a>	
B INSPIRED	Abandoned - Failure to Respond	<a href="#">85006018</a>	
B VEGAS	Fourth Extension - Granted	<a href="#">85006004</a>	
B SUITES	Fourth Extension - Granted	<a href="#">85005986</a>	
B SOUTH BEACH	Abandoned - No Statement Of Use Filed	<a href="#">85017881</a>	
B SOCIAL	Abandoned - Failure to Respond	<a href="#">85017876</a>	
B HAPPY	Abandoned - Failure to Respond	<a href="#">85022839</a>	
B HOTEL	Registered	<a href="#">85055896</a>	<a href="#">4739252</a>
B WIRED	Registered	<a href="#">85068282</a>	<a href="#">4855854</a>

B MINE	Registered	<a href="#">85077310</a>	<a href="#">4855855</a>
B SCENE	Registered	<a href="#">85090254</a>	<a href="#">4143345</a>
B HOTELS & RESORTS	Abandoned - After Ex Parte Appeal	<a href="#">85094013</a>	
B ACTIVE	Registered	<a href="#">85120925</a>	<a href="#">4043147</a>
B'STRO	Abandoned - Failure to Respond	<a href="#">85121519</a>	
B EXPRESS	Abandoned - Failure to Respond	<a href="#">85122490</a>	
B IN TOUCH	Registered	<a href="#">85125640</a>	<a href="#">4242503</a>
B GREEN	Registered	<a href="#">85136200</a>	<a href="#">4466759</a>
B NOURISHED	Registered	<a href="#">85136196</a>	<a href="#">4238213</a>

#### Prosecution History

Entry Number	History Text	Date	Due Date
1	FILED AND FEE	Oct 06, 2010	
2	NOTICE AND TRIAL DATES SENT; ANSWER DUE:	Oct 06, 2010	Nov 15, 2010
3	PENDING, INSTITUTED	Oct 06, 2010	
4	D'S APPEARANCE OF COUNSEL/POWER OF ATTORNEY	Nov 17, 2010	
5	D'S MOTION FOR AN EXTENSION OF TIME	Nov 17, 2010	
6	ANSWER	Dec 09, 2010	
7	TRIAL DATES RESET	Mar 01, 2011	
8	D'S MOTION TO DISMISS; TM RULE2.132(A)	Apr 10, 2012	
9	SUSPENDED PENDING DISP OF OUTSTNDNG MOT	Apr 23, 2012	
10	BD'S DECISION: DISMISSED W/ PREJUDICE	Jun 20, 2012	
11	TERMINATED	Jun 20, 2012	